

Attorney Docket No. M0765.70034US00

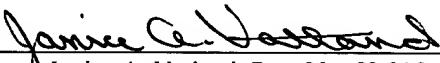
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Laposata
Serial No: 09/758,099
Conf. No.: 7656
Filed: January 10, 2001
For: METHODS FOR MONITORING ALCOHOL CONSUMPTION
Examiner: Monique T. Cole
Art Unit: 1743

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 18th of December, 2003.


Janice A. Vatland, Reg. No. 52,318

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

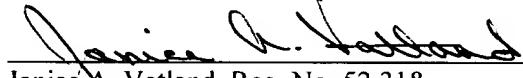
Transmitted herewith are the following documents:

Response to Restriction Requirement
 Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is considered due, the Examiner is authorized to charge the appropriate fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully Submitted,


Janice A. Vatland, Reg. No. 52,318
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210-2211
Representative for Applicant

Docket No. M0765.70034US00
Date: December 18, 2003
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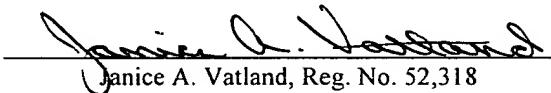
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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement mailed from the United States Patent and Trademark Office on November 18, 2003, Applicant hereby requests entry of the following election.

ELECTION

Applicant hereby elects Group II (claims 28, 29, 31, 35, 45, 95 and 117-139, drawn to a method for determining ethanol intake, classified in class 436, subclass 132).

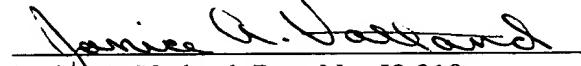
REMARKS

In response to the Restriction Requirement, Applicant has elected to prosecute Group II with traverse. The traversal is made on the grounds that a search and examination of the claims of Groups I and II would not constitute an undue burden on the Examiner. Furthermore, Applicant notes that the claims of Group I (claims 1, 4-9, 10, 19, 58, 68, 78, 96-116 and 140-169, drawn to a method for identifying a chronic alcoholic/binge drinker) are classified in the same

class and subclass as the claims of Group II (class 436, subclass 132), thus indicating that the claims of Group I and II are indeed so closely related that they are given this same classification.

Having made this election, Applicant expressly reserves the right to file one or more divisional applications on the subject matter of the non-elected claims.

Respectfully submitted,


Janice A. Vatland, Reg. No. 52,318
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

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Dated: December 18, 2003
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